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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Gedney et al )  
 Serial No. 09/004,524 )  
 Filed: January 8, 1998 ) Examiner: J. Vigushin  
 For: IC CHIP ATTACHMENT ) Art Unit: 2841  
 Reissue of U.S. Patent No. 5,483,421 ) Confirmation No. 1326  
 Attorney Docket No. IEN-10-5342-R )  
 (END919910022R) )

## REPLY TO SUPPLEMENTAL EXAMINER'S ANSWER

Commissioner for Patents  
 P. O. Box 1450  
 Alexandria, Virginia 22313-1450

Dear Sir:

*Reply noted and approved for entry into the file.*  
*-Examiner J. Vigushin*  
*January 21, 2005*

Appellants are replying to the Supplemental Examiner's Answer responsive to the Remand to the Examiner by the Board of Patent Appeals and Interferences, which Supplemental answer was issued under date of January 4, 2005. The examiner found that the *Eggert* case was distinguishable, and continued his rejection under the recapture doctrine. Applicants respectfully disagree with this position for the reasons enumerated below.

Appellants filed for a broadening reissue of Patent 5,483,421. The examiner rejected newly added claims 21-25 and 34 under 35 USC § 251 based on the recapture doctrine.

Appellants appealed this rejection to the Board of Patent Appeals and Interferences, which, in a decision mailed July 31, 2003, remanded the case to the examiner for a determination of whether the decision holding the recapture doctrine applied, and remained appropriate in view of *Ex parte*